

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

HELENA CHEMICAL COMPANY

PLAINTIFF

VS.

CIVIL ACTION NO. 3:16-CV-250-JMV

**MICHAEL YOUNG and YOUNG
FARMS ROWCROP, LLC**

DEFENDANTS

ORDER GRANTING MOTION TO RENEW AND REVIVE JUDGMENT

Before this Court is the Motion of the Plaintiff, Helena Agri-Enterprises, LLC f/k/a Helena Chemical Company (“Helena”) to Renew and Revive Judgment (“Motion”) previously entered by this Court against the defendants Michael Young and Young Farms Rowcrop, LLC (“Defendants”) in this matter. [Doc. 72]. The Defendants have failed to respond to the Motion. Having considered the Motion, the Court finds that it is well taken and should be granted. In so doing, the Court finds:

1.

On January 22, 2018, a Final Judgment was entered by this Court in favor of Helena against the Defendants in the amount of \$240,063.32 to accrue interest at the rate of 8% per annum until paid in full (“Judgment”). A copy of the Judgment is attached to and incorporated by reference as Exhibit “1” to the Motion and is of record in this cause.

2.

On June 13, 2022 (“Petition Date”), one of the Defendants, Michael Young (“Debtor”), filed his voluntary Chapter 7 petition (“Petition”) for relief before the United States Bankruptcy Court for the Northern District of Mississippi (“Bankruptcy Court”). Along with his Petition, the Debtor filed his MOTION TO AVOID JUDGMENT LIEN OF HELENA CHEMICAL COMPANY (“Motion

to Avoid”) to which Helena timely objected to same. To resolve the Motion to Avoid and Helena’s objection to same, the parties reached a compromise and settlement of their respective positions which is memorialized by that certain AGREED ORDER RESOLVING DEBTOR’S MOTION TO AVOID JUDGMENT LIEN AND HELENA CHEMICAL COMPANY’S RESPONSE AND OBJECTION TO SAME AND SETTING EXEMPTION AMOUNTS (“Agreed Order”) entered by the Bankruptcy Court on November 14, 2022. The Agreed Order, a copy of which is attached to and incorporated by reference as Exhibit “2” to the Motion, provides that, subject to its terms and conditions, the Judgment “shall remain in full force and effect and, as such, continue to encumber all of the Defendants’ prepetition interests in real and personal property located in Union County, Mississippi that existed as of the Petition Date following entry of any prospective order of the Bankruptcy Court discharging the [Defendant, Michael Young,] dismissing the referenced bankruptcy proceeding and/or closing same.”

3.

The Judgment remains due and owing to Helena as of January 21, 2025, and continues to accrue interest at the rate of 8% per annum. Attached to and incorporated by reference as Exhibit “3” to the Motion is the Affidavit of Katelyn Roberts, Assistant Credit Manager – South Delta of Helena, attesting and affirming, *inter alia*, that no payment toward the Judgment has been received by Helena and, moreover, that the outstanding balance due pursuant to same as of January 22, 2025, is \$341,288.65. As such, Helena, by and through the Motion, requests the entry of an order reviving and extending the Judgment, or \$341,288.65 as of January 22, 2025, to further accrue interest at the rate of 8% per annum (“Renewed Judgment Amount”) for an additional seven (7) years from January 22, 2025, or January 22, 2032.

4.

Subject to the tolling provisions afforded Helena by 11 U.S.C. § 108(c), a coupled application of 28 U.S.C. § 1962 and § 15-1-47 MISS. CODE ANN. require judgments rendered by Federal District Courts located in Mississippi be revived and renewed within seven (7) years from the date of the judgment, or on or before January 22, 2025, in this instance. Accordingly, Helena's request that the unsatisfied Judgment entered against Defendants, or the Renewed Judgment Amount be extended for an additional seven (7) years or until its satisfaction is well taken.

IT IS THEREFORE ORDERED AND ADJUDGED that the Judgment entered by this Court against the Defendants on January 22, 2018, is hereby revived and extended, subject to the terms and conditions of the Agreed Order, in the Renewed Judgment Amount, or \$341,288.65, to accrue interest at the rate of 8% for an additional seven (7) years, or January 22, 2032.

SO ORDERED, this the 11th day of February, 2025.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE